

## **Minutes from the January 17, 1998 Meeting**

The Fernald Citizens Advisory Board met from 8:40 a.m. until 11:45 a.m. on Saturday, January 17, 1998, at the Alpha Building, 10967 Hamilton-Cleves Highway, Harrison, Ohio. The meeting was advertised in local papers and was open to the public.

### **Members Present:**

John Applegate  
Jim Bierer  
French Bell  
Marvin Clawson  
Lisa Crawford  
Jack Craig  
Pam Dunn  
Jane Harper  
Darryl Huff  
Gene Jablonowski  
Dan McElroy  
Graham Mitchell  
Warren Strunk  
Robert Tabor  
Gene Willeke

### **Members Absent:**

Constance Fox  
Thomas Wagner  
Ray Wurzelbacher

### **Federal Official Present:**

Mike Jacobs

### **Staff Present:**

Peter Galon  
Crystal Sarno  
Douglas Sarno

Approximately 10 spectators also attended the meeting, including members of the public and representatives from DOE and Fluor Daniel Fernald.

## **1. Call to Order**

Chair John Applegate called the meeting to order at 8:40 a.m.

## **2. Announcements and New Business**

Minutes from the November 15, 1997, meeting were noted as being previously approved.

After the last meeting, CAB members met informally to identify potential candidates for new members. One of those candidates, Jane Harper, was in attendance at this meeting and has agreed to join the CAB. Ray Wurzelbacher has also agreed to join the CAB. He is a newly elected Ross Township trustee and will attend future meetings. A motion was made to recommend to DOE the appointment of these two people as new members of the CAB. The motion was unanimously approved. Doug Sarno announced a new member orientation following the meeting.

The format of the National Dialogue is still somewhat undecided. The concept of one large meeting may not be effective. The League of Women voters is now considering the idea of holding several smaller meetings in communities and covering different topics at each of these meetings. In essence, these small meetings would then be equivalent to holding one large meeting.

The Nevada Test Site Community Advisory Board is planning a forum on low level waste to be held from April 6-10, 1998. The Nevada CAB is inviting stakeholders from sites that will be generating waste to attend their meeting in order to discuss equity and transportation issues. The Nevada DOE is supportive of this idea. The FCAB has told the Nevada CAB that it would help in any way. John asked CAB members to consider attending this meeting of the Nevada CAB. More details on the meeting will be forthcoming. Gene Willeke stated that the Waste Transportation Committee had previously said that they would like to formally respond to the Nevada CAB invitation. Willeke said the Waste Management Committee would draft a response, if this has not been done.

Applegate has received a binder on the Idaho National Engineering Lab CAB. It is very informative and will be kept in the FCAB library.

DOE has solicited comments on the Draft 2006 Accelerated Clean Up Plan. A response to these comments has been prepared. Johnny Reising said that there are more responses than are contained in this document and these additional comments will be made available to stakeholders in the near future.

## **3. White Metal Box Incidents**

Doug Sarno provided the update on the white metal boxes in place of Tom Wagner, Chair of the Waste Transportation Committee. He also introduced a letter from the Waste Transportation Committee to Jack Craig outlining the Committee's informational needs in order to make recommendations on the white metal box incidents. A total of seven boxes have leaked from four different trucks. The initial leak was found in a truck in Arizona and the truck was returned to Fernald. The other three trucks were discovered leaking upon arrival at NTS. The contents were retained by NTS. A Type B investigation has been launched to determine the cause of these leaks. FDF hopes to have a report on the Type B investigation by the end of January. The FCAB felt the response was quick and adequate and that the public was not at risk as a result. However, the risk of damaging the public faith

is considerable. As a result of these incidents, shipments from other sites will be accompanied by additional personnel in order to address any problems as they arise.

Sarno explained how the box was constructed and where the leaks have occurred. The Waste Transportation Committee has a number of concerns about these incidents. A letter outlining these concerns was drafted and provided for each FCAB member.

The biggest question the committee had concerned who had the responsibility to approve the design. Marvin Clawson, a welder, looked at the box and thought it would fail. There are also no liners in the box; absorbent material is the only defense against the waste. The truck did not have a liner or pan either. The Committee wanted to know why there were not redundant protection systems and why the truck floors were wood, because wood is a very porous material. The committee questioned whether or not a particular group was responsible for overall planning and design of the transportation of this waste. If not, the committee felt that FDF should think more along those lines and more fully examine total systems integration.

The committee was also concerned about the moisture content of the material. If the material had been dry, the leak would not have occurred.

Darryl Huff asked if each box was tested. Jack Craig replied that random testing is conducted on each shipment of boxes.

Jane Harper asked how many times the boxes had been used. Sarno explained that they are one-time only use boxes. Craig explained that the boxes are filled, however, approximately one month prior to shipment.

There have been two previous incidents in which boxes have leaked while being transported to Nevada. These incidents were not thoroughly investigated. Sarno suggested obtaining more information on these leaks.

Dunn wanted to know how many of the 1400 boxes shipped were wet. NTS requires only that there is no observable free liquid. Bob Tabor pointed out, however, that during shipment the liquid would separate out due to vibrations.

Dunn and Lisa Crawford suggested a change to the letter in the second paragraph, first sentence, "the potential risk to the public health appears to be minimal." This change was approved. Willeke made a motion to approve the letter with this change. The motion was seconded and unanimously passed.

#### **4. Silos Issues**

The results of the Accelerated Waste Retrieval Strategy Critical Analysis Team Report have been received. The report has not been thoroughly reviewed yet. The members of the review team were very familiar with the site and its concerns. Overall, it appears that the team's conclusion is that the accelerated waste retrieval strategy will accelerate the cleanup schedule. DOE asked that the Waste Management Committee review this report before the March CAB meeting.

Dunn pointed out that there has been no discussion about increased monitoring of the tanks and silos while the tank farm is being developed and during the actual removal of the wastes. The community would feel more secure about the project if there was increased monitoring.

The FCAB was concerned that the accelerated waste retrieval strategy could become a very long term and not interim step.

After some discussion, the FCAB determined that there were no issues that would preclude DOE from continuing to develop the RFP. The issue still needs to go to the Waste Management Committee for more review.

DOE will add the option for off-site treatment to the Silo 3 RFP. This addition will cause a schedule delay. Nina Akgunduz thought the delay could be as long as four months. The FCAB feels that the changes to the RFP could be made in a shorter time frame. Akgunduz agreed to reexamine the time factor involved.

Craig mentioned that at several of the public meetings, vendors have been in attendance when discussions were made of upcoming RFPs. This could provide an unfair advantage for those vendors. Transcripts of the meetings should be given out with the RFP to eliminate this advantage. Applegate asked DOE to draft a short set of guidelines on this issue. The FCAB could use them at future meetings.

Beth Osheim updated the FCAB on the injunction issue. The fifth circuit court has granted DOE's motion to appeal. The reply brief is due on February 2. The court will then hear arguments in March.

## **5. Committee Updates**

**Waste Management Committee:** The committee met on December 1, 1997, to discuss the Silo 3 RFP, the injunction against DOE, and the studies being conducted on the silo materials. They wrote a letter to Secretary Pena outlining their recommendations on the injunction. They will continue to monitor the status of the injunction and follow progress on the waste pits, OSDf, and D&D. They will also be keeping track of silos issues. They are planning an upcoming conference call.

Applegate had some concern about a future conflict of interest if the FCAB visits bidders on pending RFPs. Bob Tabor suggested that to ensure that there is no conflict of interest, the FCAB could formally write a letter to the facility prior to a visit that states the intent of the visit. Akgunduz suggested that the FCAB visit DOE sites where a technology of interest is being utilized. A conflict of interest would not be perceived if they were visiting a DOE site. Graham Mitchell said it was important that the FCAB define what they want to see before making a trip. To get near high level waste, special training is required, so CAB members may only get to see the facility. In this case, it may be better to have someone brief the group on the technology. The issue of who would pay for the trip was addressed. Members consider this issue to be very relevant. The FCAB agreed that the Steering Committee should make a formal policy on this issue.

**Natural and Cultural Resources Committee:** The committee held its last meeting on November 24, 1997. At that meeting, they discussed the Sitewide Excavation Plan, the Natural Resource Restoration Plan, the Natural Resource Impact Assessment, the Aesthetic Barrier Project, the Supplemental Environmental Projects, and Conservation Easements. Their upcoming activities include making recommendations on the aesthetic barriers and the timing of restoration activities and examining the Natural Resource Trustee recommendations.

The OEPA has made their comments on the Natural Resource Restoration Plan. Early in February, FDF will begin making changes based on these comments. A workshop is

planned for early spring to educate the public on the plan. The Natural Resources Committee will be involved in that workshop.

The ecological research grants are moving forward. Many universities have shown interest in pursuing various ecological projects.

**Monitoring and Recycling Committee:** This committee held a meeting on January 7, 1998, to discuss the Quarterly Integrated Environmental Monitoring Report. They plan to schedule a meeting for February to examining monitoring issues related to remediation activities. They also plan to issue recommendations on copper recycling.

The latest version of the quarterly IEMP was examined. Criticisms have been made that the IEMP preparers are not doing work because they feel it is not in their scope. The preparers' next meeting will talk about their specific scopes of work.

The committee would like more information on concrete recycling. Also, the committee is waiting for the recycling report. Reising said that DOE has received public comments and is working on incorporating them into the document.

Doug Sarno passed out copies of the intermodal report which states that intermodal transport may be more cost effective than previously believed.

**Efficiency Committee:** The Efficiency Committee is continuing to monitor efficiency and budget issues.

Bob Tabor was concerned that the scope of the committee is getting too broad. He feels that the scope should be narrowed in order for the committee to be successful. Reising will provide the committee with additional materials to help narrow the scope.

## **6. 1998 CAB Issue Planning**

At the November meeting, the FCAB asked the *ex-officio* members to make recommendations on areas in which the CAB should focus in 1998. The FCAB has received letters from OEPA, USEPA, and DOE. All three of these letters raised these issues: suggesting that the CAB reexamine its previous recommendations; restructuring committees so they are more in line with tasks; and examining large issues such as the silos, transportation, and disposition of waste materials. Applegate asked the CAB which issues they thought were important for 1998 and what structure would be optimal for examining these issues.

Tabor expressed concern about projects being thrown off schedule due to problems in other areas of the site. He would like for the FCAB to work at keeping things on schedule.

Dunn thought the FCAB should examine all of the previous recommendations, not just those from the 1995 report. She also expressed concern at how things will change when Assistant Secretary Alm is replaced. The rest of the Board felt that they should deal with setbacks when they occur, not in advance.

Applegate suggested that the Steering Committee examine the planning issue in more detail and bring some specific recommendations before the full Board. Willeke felt that the September meeting was supposed to have resolved this issue. Sarno replied that the issue could not be adequately addressed because of poor attendance. Applegate pointed out that any member can attend the Steering Committee meetings.

Willeke suggested that FCAB agenda be flexible. New issues arise every few months and the FCAB should be careful in setting a rigid agenda.

Applegate asked Sarno to prepare a list of recommendations and identify areas where specific issues need to be addressed. Tabor asked that the list be divided into short term and longer term items. Applegate agreed that this would be helpful.

Applegate opened the floor to public comment. There was none.

## **7. Membership**

Applegate reminded members to keep in mind anyone they felt would be a good addition to the FCAB. There are still two openings. He would like to see a representative from Hamilton County, business, and environmental group.

## **8. Adjournment**

Applegate adjourned the meeting at 11:45 a.m.

I certify that these minutes are an accurate account of the  
January 17, 1998, meeting of the Fernald Citizens Advisory Board.

_____ John S. Applegate, Chair Fernald Citizens Advisory Board	_____ Date
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_____ Mike Jacobs Federal Official	_____ Date
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